IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 561 of 2005

Between:

Vemu Nageswara Rao, S/o.Abhimanyudu,
Mandapaka Gram Panchayat, Tanuku Mandal, West Godavari Dist.

..... PETITIONER

AND

1. The Dist. Panchayat officer, West Godavari District. at Eluru.
2. The Mandal Parishad Development officer, Tanuku, West Godavari

District.
3. Mandapaka Grampanchayath rep.by its Panchayath Secretary, Mandapaka

village, Tanuku Mandal,West Godavari District.
4. Parimpudi Gramapanchayath rep.by its Panchayath Secretary, Parimpudi

village, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of certiorari: call for the records in O.A.No.5993/2004 and examine the legality propriety and correctness of the same and quash the same as illegal, arbitrary and consequently direct the 3rd respondent to permit the petitioner to work as an attender in Mandapaka Grampanchat, West Godavari Dist. as usual.

Counsel for the Petitioner:MR.T.C.KRISHNAN

Counsel for the Respondents .: MR.SRINIVAS DAMMALAPATI

The Court made the following order at the stage of admission:

ORDER: **(Per the Hon'ble Sri Justice G.Bikshapathy)**

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This Writ Petition is filed to call for the records in O.A.No.5993 of 2004 dated 16-12-2004 passed by the A.P. Administrative Tribunal, Hyderabad and consequently direct the 3rd respondent to permit the petitioner to work as an attender in Mandapaka Gram Panchayat, West Godavari District.

2. The petitioner was working as an attender in Mandapaka Gram Panchayath, West Godavari District. But, he was transferred to Pariumpudi Gram Panchayath by proceeding Roc No. 5195/2004-A2 (Pts) dated 16-10-2004 and the same came to be challenged unsuccessfully and accordingly the O.A. was dismissed by order dated 16-12-2004. Assailing the said order, the present Writ Petition is filed.

3. The learned counsel for the petitioner submits that the petitioner is a handicapped person and that it will cause hardship to him if he is transferred to far away place and Pariumpudi Grampanchayath is at a distance of more than 100 kms. In that circumstances, the petitioner seeks an appropriate direction be given to the respondents.

4. Having regard to the facts and circumstances of the case, we are inclined to direct the petitioner to file representation before the District Panchayat Officer, West Godavari District at Eluru seeking transfer to any other nearer place including Mandapaka Gram Panchayath within two weeks from the date of receipt of this order and the District Panchayath Officer, West Godavari District at Eluru shall consider the representation of the petitioner, keeping in view of the health condition of the petitioner and pass appropriate orders within four weeks from the date of receipt of the representation.

5. The Writ Petition is disposed of with the above said direction. No order as to costs.

G. Bikshapathy, J.

P.S.Narayana, J.

31st January, 2005.

Note:

Copy in two days.

(B/o)

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Dist. Panchayat officer, West Godavari District. at Eluru.
2. The Mandal Parishad Development officer, Tanuku, West Godavari District.
3. The Panchayath Secretary,Mandapaka Grampanchayath, Mandapaka village, Tanuku Mandal,West Godavari District.
4. The Panchayath Secretary,Parimpudi Gramapanchayath Parimpudi village, West Godavari District.

5. 2CCs to G.P. for Services-II, High Court Buildings, Hyderabad (OUT)

6.2CD copies

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

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